

06-12-2002



102119110

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Robert F. Penfield
Patrick J. McLampy
Peter S. Commerford

FINANCE SECTION

6-6-02

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

2. Name and address of receiving party(ies)

Name: Acme Packet, Inc.

Street Address: 130 New Boston Street
Woburn, Massachusetts 01801

Additional name(s) & address(es) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other:

Execution Date: April 29, 2002

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: November 2, 2001

A. Patent application No.(s)

B. Patent No.(s)

10/000,409

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Peter A. Nieves
Thomas, Kayden, Horstemeyer & Risley, L.L.P.
100 Galleria Parkway, Suite 1750
Atlanta, Georgia 30339-5948

6. Total number of applications/patents involved: [1]

7. Total fee (37 CFR 3.41) \$ 40.00

- ☒ Enclosed
☐ Authorization to charge credit card (attached)

8. Deposit Account Number:

20-0778

(Attach duplicate copy of this page if paying by Deposit Account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Peter A. Nieves

Typed Name

Signature

Date

Docket #: 050115-1090

Total number of pages including cover sheet, attachments, and document: [6]

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents and Trademarks, Box Assignments
Washington, D.C. 20231

03-18-2002



102020118

ER SHEET

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying part(ies):

Robert F. Penfield
Patrick J. McLampy
Peter S. Commerford

3.5.02

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

2. Name and address of receiving party(ies)

Name: Acme Packet, Inc.
Street Address: 130 New Boston Street
Woburn, Massachusetts 01801Additional name(s) & address(es) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other:

Execution Date: 2/7/02

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent application No.(s)

B. Patent No.(s)

10/000,409Additional numbers attached? ☐ Yes ☒ No

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Scott A. Horstemeyer
Thomas, Kayden, Horstemeyer & Risley, L.L.P.
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03/15/2002 LNUELLER 00000155 10000409

01 FC:581

40.00 DP

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Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents and Trademarks, Box Assignments
Washington, D.C. 20231

AssignCoverSht

PATENT
REEL: 012985 FRAME: 0819

**ASSIGNMENT
OF UTILITY PATENT APPLICATION**

WHEREAS, the following parties:

<u>Name</u>	<u>Address</u>
Robert F. Penfield	72 Andin Road, Concord, Massachusetts
Patrick J. McLampy	13 Independence Road, Pepperell, Massachusetts
Peter S. Commerford	68 Unity Avenue, Belmont, Massachusetts

hereinafter referred to as ASSIGNOR, has/have invented certain new and useful improvements ("invention(s)") as described and set forth in the below-identified utility application for United States Letters Patent entitled:

**TITLE: SYSTEM AND METHOD FOR IMPROVING
COMMUNICATION BETWEEN A SWITCHED NETWORK AND A PACKET NETWORK**

which was:

- ☐ executed on even date herewith,
- ☒ filed with the United States Patent and Trademark Office (USPTO) on November 2, 2001, and assigned Serial No. 10/000,409, and
- ☐ further described in U.S. Provisional application entitled _____, filed with the USPTO on _____, and assigned Serial No. _____.

Note: Only one of the first two checkboxes will be checked. The third checkbox will be checked, only if appropriate.

WHEREAS, Acme Packet, Inc., having a place of business at 130 New Boston Street, Woburn, Massachusetts 01801, hereinafter referred to as ASSIGNEE, is desirous of acquiring ASSIGNOR'S interest in and to said invention(s), said utility application, said provisional application, and any U.S. and foreign patents which are related to the same.

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by ASSIGNOR, ASSIGNOR has sold, assigned and transferred and does hereby sell, assign and transfer unto ASSIGNEE, and ASSIGNEE'S successors and assigns, (a) the entire right, title and interest, for the United States of America, in and to said invention(s), said utility application, and said Provisional application and all the rights and privileges in any application and under any and all patents

that may be granted in the U.S. for said inventions, including all corresponding provisional, continuation, continuation in part, divisional, reissue, and reexamination applications; and (b) the entire right, title and interest in and to said invention(s), said utility application, and said provisional application for all countries foreign to the U.S., including all rights of priority arising from them, and all the rights and privileges under any and all forms of protection, including patents, that may be granted in said countries foreign to the U.S. for them.


ASSIGNOR authorizes ASSIGNEE to make application for such protection in its own name and maintain such protection in any and all countries foreign to the U.S., and to invoke and claim for any application for patent or other form of protection for said Inventions, without further authorization from ASSIGNOR, any and all benefits, including the right of priority provided by any and all treaties, conventions, or agreements.

ASSIGNOR hereby consents that a copy of this assignment shall be deemed a full legal and formal equivalent of any document which may be required in any country in proof of the right of ASSIGNEE to apply for patent or other form of protection for said Inventions, said utility application, or said provisional application and to claim the aforesaid benefit of the right of priority.

ASSIGNOR requests that any and all patents for said inventions be issued to ASSIGNEE in the U.S. and to ASSIGNEE in all countries foreign to the U.S., or to such nominee as ASSIGNEE may designate.

ASSIGNOR covenants and agrees that, when requested, ASSIGNOR shall, without charge to ASSIGNEE but at ASSIGNEE'S expense, sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable, or convenient in connection with the patent applications, patents, or other forms of protection of said invention(s), and for the defense and protection thereof if challenged in the court of law.

ASSIGNOR authorizes ASSIGNEE or its agents to insert, on ASSIGNOR'S behalf, the filing date and/or serial number above pertaining to the utility application and/or the provisional application, if not known as of the date of execution of this document.


Robert F. Penfield

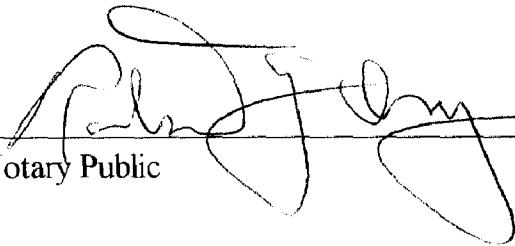
Date: April 29, 2002

United States of America

State of Massachusetts

County of Middlesex

On this 29 day of April, 2002 before me personally came Robert F. Penfield to me known to be the individual described above and who executed the foregoing instrument, or acknowledged execution of the same.


Notary Public

9/22/06
My Commission Expires (Date)



Patrick J. McLampy

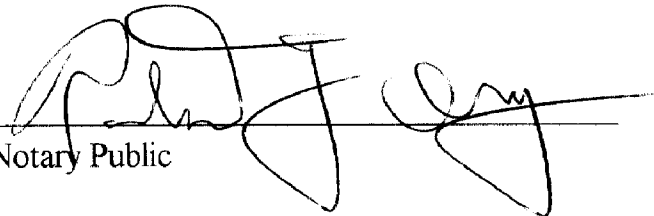
Date: April 29, 2002

United States of America

State of Massachusetts

County of WINDHAM

On this 29 day of APRIL, 2002, before me personally came Patrick J. McLampy to me known to be the individual described above and who executed the foregoing instrument, or acknowledged execution of the same.



Notary Public

9/22/06

My Commission Expires (Date)



Peter S. Commerford

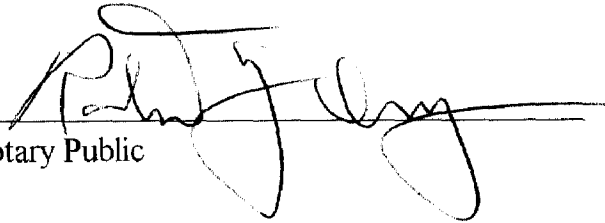
Date: April 29, 2002

United States of America

State of Massachusetts

County of Worcester

On this 29 day of April, 2002 before me personally came Peter S. Commerford to me known to be the individual described above and who executed the foregoing instrument, or acknowledged execution of the same.



Notary Public

9/22/06

My Commission Expires (Date)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Art Unit: **2661**

Penfield et al.

Serial No: **10/000,409**

Docket No.: **050115-1090**

Filed: **November 2, 2001**

For: **System and Method for Improving Communication Between a
Switched Network and a Packet Network**

**NOTE: "Documents and cover sheets to be recorded should be addressed to Assistant Commissioner for Patents, Box Assignments, Washington, DC 20231, unless they are filed together with new applications or with a petition under § 3.81(b)." 37 C.F.R. § 3.31(b).*

**CORRECTIVE ASSIGNMENT (DOCUMENT) COVER SHEET
(37 C.F.R. § 3.31) M.P.E.P., § 323, 7th Edition**

NOTE: "A cover sheet may not refer to both patents and trademarks." 37 C.F.R. § 3.31(b).

Attached please find a corrective assignment (document) for recordal. The reel and frame number where the incorrectly recorded assignment document appears is as follows:

Reel **012672**

Frame **0172**

The original cover sheet is submitted herewith.

The original assignment document is also submitted herewith with the corrections made thereon which are each initialed and dated by the party conveying the interest.

**IDENTIFICATION OF APPLICATION(S) AND/OR PATENT(S)
FOR ASSIGNMENT (DOCUMENT) RECORDAL**

NOTE: See 37 C.F.R. §3.21.

NOTE: § 3.21 does not apply to documents other than assignment. Notice of June 24, 1992 (1140 O.G. 63-72 at 67).

1. This assignment is for the following patent application and/or issued patent:

National application: **10/000,409** filed on **November 2, 2001**

Provisional application: filed on

International application: PCT/

Patent No.: Issued:

(complete if applicable) which was previously assigned and recorded

Date: **March 5, 2002**

Reel: **012672** Frame: **0172**

NOTE: If an assignment of a patent application filed under § 1.53(b) is executed concurrently with, or subsequent to, the execution of the patent application, but before the patent application is filed, it must identify the patent application by its date of execution, name of each inventor, and title of the invention so that there can be no mistake as to the patent application intended. If an assignment of a provisional application under §1.53(c) is executed before the provisional application is filed, it must identify the provisional application by name of each invention and title of the invention so that there can be no mistake as to the provisional application intended. 37 C.F.R. §3.21.

(also complete the following, if applicable)

- ☐ and also for the applications and/or patents shown on the attached list of
FURTHER APPLICATION(S) and/or PATENT(S) BEING ASSIGNED

Number of pages added:

**TOTAL NUMBER OF APPLICATIONS AND/OR PATENTS
AND TOTAL FEE**

Note: All requests to record documents must be accompanied by the appropriate fee; a fee is required for each application or patent against which the document is recorded as identified in the cover sheet. The recording fee is set in § 1.21(h). 37 C.F.R. § 3.41.

2. A. The total number of applications and/or patents identified in this cover sheet is

1

- B. The total fee is (37 C.F.R. § 1.21(h)):

<i>Total number of applications</i>	<i>x \$40.00</i>	<i>= \$</i>
1	x \$40.00	\$40.00

C. Payment of fee is made by:

- ☒ the attached check for **\$40.00**
☐ Please charge Deposit Account the sum of \$.
(A duplicate of this cover sheet is attached).

NAME OF PARTY(IES) CONVEYING INTEREST
(37 C.F.R. § 3.31(a)(1))

NOTE: "The term 'party' as used in 37 C.F.R. §3.31 means the person whose name appears on the documents to be recorded, that person's attorney or registered agent, or a corporate officer where a corporation's name appears on the documents." Notice of June 24, 1992 (1140 O.G. 63-72, at 65); M.P.E.P. § 302.07, 7th ed.

3. The party(ies) conveying interest is (are):

Name 1: **Robert F. Penfield**
Name 2: **Patrick J. McLampy**
Name 3: **Peter S. Commerford**

NAME AND ADDRESS OF PARTY(IES) RECEIVING INTEREST
(37 C.F.R. § 3.31(a)(1))

4. The rights are being conveyed to:

Name: **Acme Packet, Inc.**
Address: **130 New Boston Street**
 Woburn, Massachusetts 01801

5. The accompanying document intends to accomplish:

- ☒ an assignment.
☐ a security agreement.
☐ a merger.
☐ a license.
☐ a change of name.
☐ a change of address.
☐ other:

**NAME AND ADDRESS OF PARTY TO WHOM
CORRESPONDENCE SHOULD BE MAILED**
(37 C.F.R. § 3.31(a)(5))

6. Please address correspondence to:

Scott A. Horstemeyer
Thomas, Kayden, Horstemeyer & Risley, LLP
100 Galleria Parkway, Suite 1750
Atlanta, GA 30339
Tel: (770) 933-9500
Fax: (770) 951-0933

DATE ORIGINAL ASSIGNMENT (DOCUMENT) EXECUTED
(37 C.F.R. § 3.31(a)(7))

7. A. ☒ The original attached assignment (document) was executed
by all parties on February 2, 2002 (*date*).

*NOTE: If there is more than one conveying party who executed on different dates, indicate the date of execution of
the assignment document for each conveying party.*

B. ☐ The original attached assignment was executed by
on (*date*).

☐ The original attached assignment was executed by
on (*date*).

DATE CORRECTED ASSIGNMENT (DOCUMENT) EXECUTED
(37 C.F.R. § 3.31(a)(7))

8. A. ☒ The attached corrected assignment (document) was
executed by all parties on April 29, 2002 (*date*).

*NOTE: If there is more than one conveying party who executed on different dates, indicate the date of execution of
the assignment document for each conveying party.*

B. ☐ The attached corrected assignment (document) was
executed by
on (*date*).

☐ The attached corrected assignment (document) was
executed by
on (*date*).

LANGUAGE OF ASSIGNMENT (DOCUMENT) TO BE RECORDED

NOTE: "The Office will accept and record non-English language documents only if accompanied by an English translation signed by the individual making the translation." 37 C.F.R. § 3.26.

9. The attached document:

- ☒ is in the English language.
☐ is not in the English language and an English translation signed by the individual making the translation is attached.

ORIGINAL DOCUMENT OR TRUE COPY SUBMITTED

NOTE: See 37 C.F.R. §3.24.

10. Submitted herewith are:

- ☐ the original documents.
☒ a true copy of the original documents, which I certify to be a true copy.

NOTE: "If the original [assignment] document is a two-sided or the wrong size, the practitioner can comply with the requirement [set out in 37 C.F.R. §3.24] by providing a true copy of the original document using only one side of each on the correct size paper." Notice of June 24, 1992, 1140 O.G. 63-76, at 67.

NOTE: "Certification shall be made by the person submitting a copy of an original document that the document submitted is a true copy of the original. The certification is not required to be in an oath or declaration form." M.P.E.P., § 302.01, 7th ed.

ASSIGNMENT (DOCUMENT) TO RECORD CHANGE OF ADDRESS
(check item, if applicable)

11. ☐ Because the purpose of the attached documents is to record a change of address of the assignee, the particulars of the previously recorded assignments for each application and/or patent are shown.

ASSIGNMENT (DOCUMENT) TO RECORD CHANGE OF NAME
(check item, if applicable)

12. ☐ Because the purpose of the attached documents is to record a change of name of the assignee, the particulars of the previously recorded assignments for each application and/or patent are shown.

CHANGE OF PATENT MAINTENANCE FEE ADDRESS
(check item, if applicable)

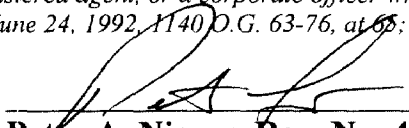
13. ☐ A change of address to which correspondence is to be sent regarding patent maintenance fees is being sent to the Office separately.

**STATEMENT (37 C.F.R. § 3.31 (a)(9)) AND
SIGNATURE (37 C.F.R. § 3.31(a)(10))**

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

NOTE: "The term 'party' as used in this rule [§ 3.31] means the person whose name appears on the documents to be recorded, that person's attorney or registered agent, or a corporate officer where a corporation's name appears on the document." Notice of June 24, 1992, 1140 O.G. 63-76, at 62; M.P.E.P. § 302.07, 6th ed.

Date: 5/29/02


Peter A. Nieves, Reg. No. 48,173
Thomas, Kayden, Horstemeyer & Risley LLP
100 Galleria Parkway, Suite 1750
Atlanta, GA 30339

TOTAL NUMBER OF PAGES BEING SUBMITTED

20

ASSIGNMENT OF UTILITY PATENT APPLICATION

WHEREAS, the following parties:

<u>Name</u>	<u>Address</u>
Robert F. Penfield	72 Andin Road, Concord, Massachusetts
Patrick J. McLampy	13 Independence Road, Pepperell, Massachusetts
Peter S. Commerford	68 Unity Avenue, Belmont, Massachusetts

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TITLE: SYSTEM AND METHOD FOR IMPROVING COMMUNICATION BETWEEN A SWITCHED NETWORK AND A PACKET NETWORK

which was:

- ☐ executed on even date herewith,
- ☒ filed with the United States Patent and Trademark Office (USPTO) on November 2, 2001, and assigned Serial No. 10/000,409, and
- ☒ further described in U.S. Provisional application entitled **U.S. Patent Application Serial No. 09/911,256** entitled, "System and Method for Determining Flow Quality Statistics for Real-Time Transport Protocol Data Flows," filed July 23, 2001; **US Patent Application Serial No. 09/911,304** entitled, "System and Method for Providing Rapid Rerouting of Real-Time Multimedia Flows," filed July 23, 2001; and **US Patent Application Serial No. 09/941,229** entitled, "System and Method for Providing Encryption for Rerouting of Real-Time Multimedia Flows," filed August 28, 2001., filed with the USPTO on November 2, 2001, and assigned Serial No. 10/000,409

Note: Only one of the first two checkboxes will be checked. The third checkbox will be checked, only if appropriate.

WHEREAS, Acme Packet, Inc., having a place of business at 130 New Boston Street, Woburn, Massachusetts 01801, hereinafter referred to as ASSIGNEE, is desirous of acquiring ASSIGNOR'S interest in and to said invention(s), said utility application, said provisional application, and any U.S. and foreign patents which are related to the same.

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by ASSIGNOR, ASSIGNOR has sold, assigned and transferred and does hereby sell, assign and transfer unto ASSIGNEE, and ASSIGNEE'S successors and assigns, (a) the entire right, title and interest, for the United States of America, in and to said invention(s), said utility application, and said Provisional application and all the rights and privileges in any application and under any and all patents that may be granted in the U.S. for said inventions, including all corresponding provisional, continuation, continuation in part, divisional, reissue, and reexamination applications; and (b) the entire right, title and interest in and to said invention(s), said utility application, and said provisional application for all countries foreign to the U.S., including all rights of priority arising from them, and all the rights and privileges under any and all forms of protection, including patents, that may be granted in said countries foreign to the U.S. for them.

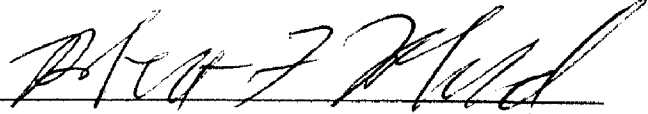
ASSIGNOR authorizes ASSIGNEE to make application for such protection in its own name and maintain such protection in any and all countries foreign to the U.S., and to invoke and claim for any application for patent or other form of protection for said Inventions, without further authorization from ASSIGNOR, any and all benefits, including the right of priority provided by any and all treaties, conventions, or agreements.

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ASSIGNOR covenants and agrees that, when requested, ASSIGNOR shall, without charge to ASSIGNEE but at ASSIGNEE'S expense, sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable, or convenient in connection with the patent applications, patents, or other forms of protection of said invention(s), and for the defense and protection thereof if challenged in the court of law.

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Robert F. Penfield

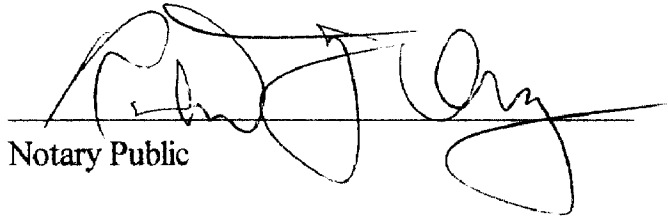
Date: FEB 7, 2002

United States of America

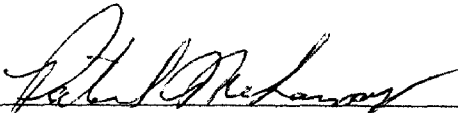
State of Massachusetts

County of MIDDLESEX

On this 7 day of FEB, 2002, before me personally came Robert F. Penfield to me known to be the individual described above and who executed the foregoing instrument, or acknowledged execution of the same.


Notary Public

9/22/06
My Commission Expires (Date)



Patrick J. McLampy

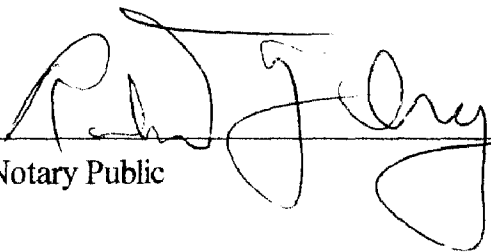
Date: FEB. 7, 2002

United States of America

State of Massachusetts

County of MIDDLESEX

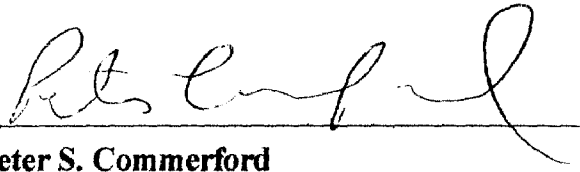
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Notary Public

9/22/06

My Commission Expires (Date)


Peter S. Commerford

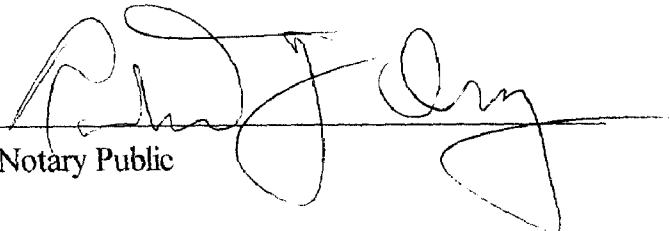
Date: FEB 7 2002

United States of America

State of Massachusetts

County of MIDDLESEX

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Notary Public

9/22/06
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